

**LEGAL NOTICE
NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF LANCASTER**

NOTICE IS HEREBY GIVEN of a Meeting of the Zoning Board of Appeals of the Town of Lancaster to be held Thursday, May 9, 2013 at 7:00 P.M., Local Time, in the Town Board Chambers, in the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York. The items for consideration by the Zoning Board of Appeals at this meeting are:

1. The petition of Eric and Kathryn Parker, 128 Westwood Road, Lancaster, New York for one [1] variance for the purpose of constructing an attached garage to an existing dwelling on property owned by the petitioners at 128 Westwood Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 9C.(3)(b)(1) of the Code of the Town of Lancaster. The location of the proposed attached garage would result in an east side yard set back of five point five [5.5] feet.

Chapter 50, Zoning, Section 9C(3)(b)(1) of the Code of the Town of Lancaster requires a ten [10] foot east side yard set back. The petitioners, therefore, request a four point five [4.5] foot east side yard variance.

2. The petition of Darren A. LaCrego, 3643 Bowen Road, Lancaster, New York 14086 for one [1] variance for the purpose of erecting a six [6] foot high fence in a required open space area on premises owned by the petitioner at 3643 Bowen Road, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster. The premises upon which this variance is sought is a corner lot fronting on Summerfield Drive with an exterior side yard [considered a front yard equivalent] fronting on Bowen Road. The petitioner proposes to erect a six [6] foot high fence within the required open space area of the exterior side yard fronting on Bowen Road.

Chapter 50, Zoning, Section 35C. of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard or an exterior side yard [considered a front yard equivalent] to three [3] feet in height. The petitioner, therefore, requests a three [3] foot fence height variance.

3. The petition of Benderson Development Company, LLC, contract vendee, 570 Delaware Avenue, Buffalo, New York 14202 for three [3] variances for the purpose of erecting a pole sign on premises owned by Tranwer, LLC, 6727 Transit Road, Lancaster, New York 14086 to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(c)[3][e] of the Code of the Town of Lancaster. The total square footage of the proposed pole sign is 320.96 square feet.

Chapter 50, Zoning, Section 30F.(2)(c)[3][e] of the Code of the Town of Lancaster limits the total square footage to 160 square feet. The petitioner, therefore, requests a 160.96 square foot face area signage variance for a pole sign.

- B. A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(c)[3][b] of the Code of the Town of Lancaster. The height of the proposed pole sign is thirty [30] feet.

Chapter 50, Zoning, Section 30F.(2)(c)[3][b] of the Code of the Town of Lancaster limits the height of a pole sign to twenty-five [25] feet. The petitioner, therefore, requests a five [5] foot sign height variance.

- C. A variance from the requirements of Chapter 50, Zoning, Section 30F.(2)(c)[3][b] of the Code of the Town of Lancaster. The bottom edge of the proposed pole sign is five [5] feet from the finished grade.

Chapter 50, Zoning, Section 30F.(2)(c)[3][b] of the Code of the Town of Lancaster limits the lowest edge, excluding the pole, to be at least eight feet from the finished grade. The petitioner, therefore, requests a three [3] foot variance.

